

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1753A

1 WHEREAS, R.C. Krueger Development Company has submitted an application
2 designated as Special Permit No. 1753A for authority to amend Vavrina Meadows Community Unit
3 Plan to increase the total number of approved dwelling units from 612 to 648 and to add an early
4 childhood care facility on property generally located at South 14th Street and Vavrina Boulevard,
5 and legally described to wit:

6 Lots 73, 74, and 75 of Irregular Tracts, a portion of Lot 70 of
7 Irregular Tracts, all of Vavrina Meadows including Blocks 1 through
8 12, and Outlots 'A', 'B', 'C', and 'D', all of Vavrina Meadows 1st
9 Addition, all of Vavrina Meadows 2nd Addition, all of Vavrina
10 Meadows 4th Addition, and all of Vavrina Meadows 5th Addition, all
11 located in the West Half of Section 24, Township 9 North, Range 6
12 East of the 6th P.M., Lancaster County, Nebraska, more particularly
13 described as follows: Beginning at the northwest corner of Outlot
14 'A', Vavrina Meadows in said Section 24 and extending thence north
15 88 degrees 33 minutes 17 seconds east a distance of 2583.00 feet;
16 thence south 01 degrees 59 minutes 00 seconds east a distance of
17 1989.07 feet; thence south 88 degrees 29 minutes 50 seconds west,
18 a distance of 2018.10 feet; thence north 01 degrees 56 minutes 43
19 seconds west, a distance of 1024.53 feet; thence south 88 degrees
20 03 minutes 17 seconds west, a distance of 566.48 feet; thence north
21 01 degrees 56 minutes 43 seconds west, a distance of 971.50 feet
22 to the point of beginning, containing 104.76 acres.

23 WHEREAS, the real property adjacent to the area included within the site plan for
24 this amended community unit plan will not be adversely affected; and

25 WHEREAS, said site plan together with the terms and conditions hereinafter set
26 forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote
27 the public health, safety, and general welfare.

28 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,
29 Nebraska:

1 That the application of R.C. Krueger Development Company, hereinafter referred to
2 as "Permittee", to amend Vavrina Meadows Community Unit Plan to increase the total number of
3 dwelling units from 612 to 648 and to add an early childhood care facility on the property legally
4 described above, be and the same is hereby granted under the provisions of Sections 27.63.070,
5 27.63.320 and Chapters 27.15 and 27.65 of the Lincoln Municipal Code upon condition that
6 construction and operation of said community unit plan and early childhood care facility be in strict
7 compliance with said application, the site plan, and the following additional express terms,
8 conditions, and requirements:

9 1. This permit approves a community unit plan with a total of 618 dwelling units and
10 a 150-student early childhood care facility with the following associated waivers:

- 11 (a) The requirement set forth in the Design Standards for Community Unit Plans
12 that the concentration of cluster of dwelling units shall not exceed 15
13 dwelling units per acre in the R-3 zoning district is waived to allow 23.6
14 dwelling units per acre on Lot 9, Block 18.
- 15 (b) The requirement set forth in the Design Standards for Community Unit Plans
16 that the concentration of cluster of dwelling units shall not exceed 15
17 dwelling units per acre in the R-3 zoning district is waived to allow 22.0
18 dwelling units per acre on Lot 22, Block 19.
- 19 (c) The maximum height requirement of 35 feet is waived to allow a maximum
20 height of 43 feet for the multiple family structures.
- 21 (d) The requirement that the early childhood care facility provide a detailed site
22 plan, a layout of the building, elevations of the building and a description of
23 the conversion plan, and the operational plan for the care facility is waived
24 until an application for the building permit is made.

1 2. Before receiving building permits:

2 (a) The Permittee must submit a revised and reproducible final plan as
3 approved

4 (b) The early childhood care facility shall have an administrative amendment
5 approved on the parcel which shows a detailed site layout, the entire layout
6 of the building, the elevations of the building showing how it could be
7 converted to a use permitted in the district, and an operational plan of the
8 care facility.

9 3. Before occupying the new dwelling units all development and construction must
10 be completed in conformance with the approved plans.

11 4. All privately-owned improvements shall be permanently maintained by the
12 Permittee or an appropriately established homeowners association approved by the City Attorney.

13 5. The site plan approved by this permit shall be the basis for all interpretations of
14 setbacks, yards, locations of buildings, location of parking and circulation elements, and similar
15 matters.

16 6. The terms, conditions, and requirements of this resolution shall be binding and
17 obligatory upon the Permittee, its successors, and assigns. The building official shall report
18 violations to the City Council which may revoke the special permit or take such other action as may
19 be necessary to gain compliance.

20 7. The Permittee shall sign and return the City's letter of acceptance to the City
21 Clerk within 30 days following approval of the special permit, provided, however, said 30-day period
22 may be extended up to six months by administrative amendment. The City Clerk shall file a copy
23 of the resolution approving the special permit and the letter of acceptance with the Register of
24 Deeds, filing fees therefor to be paid in advance by the Permittee.

1 8. The site plan as approved with this resolution voids and supersedes all previously
2 approved site plans, however, all prior resolutions approving Special Permit No. 1753 and
3 amendments thereto remain in full force and effect specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant